

No. 76
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2010

Senate Chamber, Lansing, Thursday, September 16, 2010.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Allen—present
Anderson—present
Barcia—present
Basham—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Garcia—excused
George—present
Gilbert—present
Gleason—present
Hardiman—present
Hunter—present
Jacobs—present
Jansen—present
Jelinek—present
Kahn—present
Kuipers—present
McManus—present
Nofs—present

Olshove—present
Pappageorge—present
Patterson—present
Prusi—present
Richardville—present
Sanborn—present
Scott—present
Stamas—present
Switalski—present
Thomas—present
Van Woerkom—present
Whitmer—present

Senator Martha G. Scott of the 2nd District offered the following invocation:

Good morning, Heavenly Father. We thank You for this wonderful rainy day this morning. Lord, we ask You to bless each and every one of us here today. Lord, bless all of those who are in authority, and give them the strength and courage to do what is right for all of our people.

I will now quote the 23rd Psalm:

“The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: he leadeth me beside the still waters.

He restoreth my soul: he leadeth me in the paths of righteousness for his name’s sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me; thy rod and thy staff they comfort me.

Thou preparest a table before me in the presence of mine enemies: thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever.”

May the Lord add a blessing to the reading and hearing of His word. Amen.

The President, Lieutenant Governor Cherry, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Brown, Clarke, Barcia, Gleason, Allen, Hunter and Brater entered the Senate Chamber.

Senator Cherry asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Cherry’s statement is as follows:

Today is a day that is very bittersweet for those of us who work in my office and those who work with us. Paula Anderson, who has been with me almost since the very beginning when I started service in the House, is leaving to go on to a new position. She is very excited about it and so are we. Paula has been in the Legislature since—well, she won’t let me say how many years—Representative Mathieu. He was her first employer in the Michigan House of Representatives.

She has so much talent. She has been indispensable to me. I am going to miss her very much, and she is going to have a great time in her new job.

Senator Cropsey moved that Senator Garcia be excused from today’s session.

The motion prevailed.

Senator Cropsey moved that consideration of the motion to discharge the Committee on Government Operations from further consideration of the following resolution be postponed for today:

Senate Resolution No. 172

The motion prevailed.

Senator Cropsey moved that rule 2.106 be suspended to allow committees to meet during Senate session.

The motion prevailed, a majority of the members serving voting therefor.

Senator Cropsey moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1267

Senate Bill No. 1450

Senate Bill No. 1451

Senate Bill No. 1035

The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:10 a.m.

11:16 a.m.

The Senate was called to order by the President, Lieutenant Governor Cherry.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 15:

House Bill Nos. 4098 4101 4604 5603 6156

The Secretary announced that the following official bills were printed on Wednesday, September 15, and are available at the legislative website:

Senate Bill Nos. 1486 1487 1488 1489 1490 1491 1492 1493

House Bill Nos. 6428 6429 6430 6431 6432 6433 6434 6435

By unanimous consent the Senate proceeded to the order of

Messages from the House

Senator Cropsey moved that consideration of the following bill be postponed for today:

House Bill No. 4514

The motion prevailed.

Senate Bill No. 1151, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(For Conference Report, see Senate Journal No. 75, p. 1404.)

The House of Representatives has adopted the report of the Committee of Conference.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1154, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

(For Conference Report, see Senate Journal No. 75, p. 1395.)

The House of Representatives has adopted the report of the Committee of Conference.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

Conference Reports

House Bill No. 5875, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has adopted the report of the Committee of Conference.
 The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5875, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of agriculture for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF AGRICULTURE
APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	2.0	
Full-time equated classified positions	456.5	
GROSS APPROPRIATION		\$ 76,448,300
Interdepartmental grant revenues:		
IDG from MDELEG (LCC), liquor quality testing fees		191,900
IDG from MDNRE, biosolids		97,200
Total interdepartmental grants and intradepartmental transfers		289,100
ADJUSTED GROSS APPROPRIATION		\$ 76,159,200
Federal revenues:		
USDA, multiple grants		11,028,300
EPA, multiple grants.....		1,728,900
HHS-FDA		1,701,500
United States department of labor.....		463,900
Total federal revenues.....		14,922,600
Special revenue funds:		
Total local revenues		0
Private - slow-the-spread foundation.....		166,400
Private - commodity group revenue		93,700
Total private revenues.....		260,100
Agricultural preservation fund.....		3,002,700
Agriculture equine industry development fund		4,476,900
Agriculture pollution prevention fund.....		100
Animal welfare fund.....		142,400
Commodity inspection fees		1,002,000
Consumer and industry food safety education fund.....		278,000
Dairy and food safety fund		2,885,500
Freshwater protection fund.....		5,127,600
Gasoline inspection and testing fund		2,752,500
Grain dealer fee fund.....		163,500
Horticulture fund		89,300
Industry support funds.....		700,300
Licensing and inspection fees		4,117,600

	For Fiscal Year Ending Sept. 30, 2011
Migrant housing inspection fees.....	\$ 112,300
Migratory labor housing fund.....	28,600
Nonretail liquor fees.....	718,800
Refined petroleum fund.....	3,870,900
State services fee fund.....	53,400
Testing fees.....	434,500
Weights and measures regulation fees.....	722,500
Total other state restricted revenues	30,679,400
State general fund/general purpose	\$ 30,297,100
Sec. 102. EXECUTIVE	
Full-time equated unclassified positions.....	2.0
Full-time equated classified positions	27.5
Commissions and boards.....	\$ 23,800
Unclassified positions—2.0 FTE positions	213,300
Executive direction—8.0 FTE positions.....	996,200
Management services—12.0 FTE positions	928,600
Statistical reporting service—1.0 FTE position	148,500
Emergency management—6.5 FTE positions.....	741,800
Accounting service center	878,300
GROSS APPROPRIATION	\$ 3,930,500
Appropriated from:	
Federal revenues:	
HHS-FDA	500,000
Special revenue funds:	
Private - commodity group revenue	82,600
Industry support funds.....	38,400
Nonretail liquor fees.....	8,800
Refined petroleum fund.....	57,800
State general fund/general purpose	\$ 3,242,900
Sec. 103. DEPARTMENTWIDE	
Rent and building occupancy charges	\$ 1,042,200
GROSS APPROPRIATION	\$ 1,042,200
Appropriated from:	
Federal revenues:	
USDA, multiple grants	236,000
EPA, multiple grants.....	182,900
HHS-FDA	45,500
Special revenue funds:	
Agricultural preservation fund.....	23,900
Freshwater protection fund.....	35,200
Licensing and inspection fees	177,800
Nonretail liquor fees.....	30,300
Refined petroleum fund.....	257,200
State services fee fund.....	53,400
State general fund/general purpose	\$ 0
Sec. 104. FOOD AND DAIRY	
Full-time equated classified positions	107.0
Food safety and quality assurance—81.0 FTE positions	\$ 9,744,900
Milk safety and quality assurance—26.0 FTE positions.....	3,259,200
GROSS APPROPRIATION	\$ 13,004,100
Appropriated from:	
Federal revenues:	
USDA, multiple grants	226,100
HHS-FDA	432,600

	For Fiscal Year Ending Sept. 30, 2011
Special revenue funds:	
Consumer and industry food safety education fund	\$ 278,000
Dairy and food safety fund	2,885,500
State general fund/general purpose	\$ 9,181,900
Sec. 105. ANIMAL INDUSTRY	
Full-time equated classified positions 68.0	
Animal disease prevention and response—68.0 FTE positions	\$ 9,474,200
GROSS APPROPRIATION	\$ 9,474,200
Appropriated from:	
Federal revenues:	
USDA, multiple grants	1,215,800
HHS-FDA	75,400
Special revenue funds:	
Animal welfare fund.....	142,400
Licensing and inspection fees	111,400
State general fund/general purpose	\$ 7,929,200
Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT	
Full-time equated classified positions 108.0	
Pesticide and plant pest management—94.0 FTE positions.....	\$ 11,347,000
Emerald ash borer control program—10.0 FTE positions	2,138,500
Producer security/grain dealers—4.0 FTE positions	552,600
GROSS APPROPRIATION	\$ 14,038,100
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
USDA, multiple grants	3,214,400
EPA, multiple grants.....	838,600
HHS-FDA	105,000
Special revenue funds:	
Private - slow-the-spread foundation.....	166,400
Commodity inspection fees	1,002,000
Grain dealers fee fund.....	163,500
Horticulture fund.....	89,300
Industry support funds.....	461,900
Licensing and inspection fees	3,670,100
State general fund/general purpose	\$ 4,326,900
Sec. 107. ENVIRONMENTAL STEWARDSHIP	
Full-time equated classified positions 39.0	
Environmental stewardship.....	\$ 94,400
Michigan agriculture environmental assurance program—3.0 FTE positions	262,000
Groundwater and freshwater protection program—15.0 FTE positions.....	5,354,100
Farmland and open space preservation—9.0 FTE positions	928,600
Agriculture pollution prevention program.....	1,000,100
Local conservation districts.....	100
Migrant labor housing—6.0 FTE positions.....	1,142,800
Right-to-farm—3.0 FTE positions.....	504,300
Intercounty drain—3.0 FTE positions.....	416,100
GROSS APPROPRIATION	\$ 9,702,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDNRE, biosolids	97,200
Federal revenues:	
USDA, multiple grants	1,000,000
EPA, multiple grants.....	356,200
United States department of labor.....	463,900

	For Fiscal Year Ending Sept. 30, 2011
Special revenue funds:	
Agricultural preservation fund.....	\$ 928,600
Agriculture pollution prevention fund.....	100
Freshwater protection fund.....	5,092,300
Migrant housing inspection fees.....	112,300
Migratory labor housing fund.....	28,600
State general fund/general purpose	\$ 1,623,300
Sec. 108. LABORATORY PROGRAM	
Full-time equated classified positions	97.0
Laboratory services—45.0 FTE positions	\$ 6,085,600
USDA monitoring—13.0 FTE positions	2,259,000
Consumer protection program—39.0 FTE positions.....	5,498,100
GROSS APPROPRIATION	\$ 13,842,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDELEG (LCC), liquor quality testing fees	189,100
Federal revenues:	
USDA, multiple grants	2,281,000
EPA, multiple grants.....	351,200
HHS-FDA	543,000
Special revenue funds:	
Agriculture equine industry development fund	541,700
Gasoline inspection and testing fund	2,639,400
Licensing and inspection fees	79,500
Refined petroleum fund.....	3,555,900
Testing fees.....	434,500
Weights and measures regulation fees.....	722,500
State general fund/general purpose	\$ 2,504,900
Sec. 109. AGRICULTURE DEVELOPMENT	
Full-time equated classified positions	7.0
Agriculture development—4.0 FTE positions	\$ 2,056,700
Grape and wine program—3.0 FTE positions.....	736,800
GROSS APPROPRIATION	\$ 2,793,500
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
USDA, multiple grants	1,605,000
Special revenue funds:	
Private - commodity group revenue	11,100
Industry support funds.....	200,000
Nonretail liquor fees.....	679,200
State general fund/general purpose	\$ 298,200
Sec. 110. FAIRS AND EXPOSITIONS	
Full-time equated classified positions	3.0
Fairs and racing—3.0 FTE positions.....	\$ 394,400
Purses and supplements - fairs/licensed tracks	764,300
Licensed tracks - light horse racing	42,600
Standardbred breeders' awards.....	312,500
Standardbred purses and supplements - licensed tracks.....	577,000
Standardbred sire stakes	261,200
Standardbred training and stabling.....	11,600
Thoroughbred owners' awards	39,900
Thoroughbred supplements - licensed tracks	387,000
Thoroughbred breeder's awards.....	387,000

	For Fiscal Year Ending Sept. 30, 2011
Thoroughbred sire stakes.....	\$ 267,600
Distribution of outstanding winning tickets	375,000
GROSS APPROPRIATION	\$ 3,820,100
Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund	3,820,100
State general fund/general purpose	\$ 0
Sec. 111. INFORMATION AND TECHNOLOGY	
Information technology services and projects	\$ 1,500,400
GROSS APPROPRIATION	\$ 1,500,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDLEG (LCC), liquor quality testing fees	2,800
Special revenue funds:	
Agricultural preservation fund.....	200
Agriculture equine industry development fund	115,100
Gasoline inspection testing fund	113,100
Freshwater protection fund.....	100
Licensing and inspection fees	78,800
Nonretail liquor fees.....	500
State general fund/general purpose	\$ 1,189,800
Sec. 112. CAPITAL OUTLAY	
Farmland and open space development acquisition	\$ 3,300,000
GROSS APPROPRIATION	\$ 3,300,000
Appropriated from:	
Federal revenues:	
USDA, multiple grants	1,250,000
Special revenue funds:	
Agriculture preservation fund.....	2,050,000
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is \$60,976,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$1,500,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF AGRICULTURE

Groundwater and freshwater protection program	\$ 1,500,000
TOTAL	\$ 1,500,000

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "Department" means the department of agriculture.
- (b) "Director" means the director of the department.
- (c) "EPA" means the United States environmental protection agency.
- (d) "FTE" means full-time equated.
- (e) "HHS-FDA" means the United States department of health and human services - food and drug administration.
- (f) "IDG" means interdepartmental grant.
- (g) "MDELEG" means the Michigan department of energy, labor, and economic growth.
- (h) "MDNRE" means the Michigan department of natural resources and environment.
- (i) "USDA" means the United States department of agriculture.

Sec. 204. The civil service commission shall bill departments and agencies at the end of the first fiscal quarter for the charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, causes loss of revenue to the state, would result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and shall include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 210. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. (1) Of the funds appropriated in part 1, the department may provide for indemnity as provided for pursuant to the animal industry act, 1988 PA 466, MCL 287.701 to 287.746, not to exceed \$100,000.00 per order from any line item for the fiscal year ending September 30, 2011. Before the department provides for an indemnification under this section, the department shall report the reason for the indemnification, the amount of the indemnification, and to whom the indemnification is to be paid. The report shall be given to each member of the senate and house appropriations subcommittees on agriculture and to the senate and house fiscal agencies and the state budget director.

(2) The department of agriculture shall make an indemnification payment for the fair market value of livestock killed by a wolf, coyote, or cougar, if the kill is verified by the department of natural resources and environment. The fair market value of the livestock shall be determined pursuant to the indemnification procedures prescribed in the animal industry act, 1988 PA 466, MCL 287.701 to 287.745. In addition to the funds appropriated in part 1, the department of agriculture is authorized to expend the funds received from the department of natural resources and environment to reimburse the department of agriculture for all indemnification payments made pursuant to this subsection.

Sec. 214. Of the funds appropriated in part 1 that are other than line-item grants, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department provides notice of the grant to the senate and house appropriations subcommittees on agriculture at least 10 days before the grant is issued. The grants shall be used to support research or other related activities for the purpose of enhancing the agricultural industries in this state.

Sec. 215. From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section.

Sec. 219. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and the department of technology, management, and budget.

Sec. 220. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 224. The department shall not take disciplinary action against an employee for truthfully to the best of his or her knowledge communicating with a member of the legislature or his or her staff.

Sec. 228. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$6,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 229. (1) The department shall report no later than April 1, 2011 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 230. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 231. From the funds appropriated in part 1 for salaries and benefits, the department shall provide funding in the pesticide and plant pest management, food and dairy, animal industry, environmental stewardship and laboratory divisions for not less than 315 employees who provide direct service to the public or substantially support the work of those who provide direct service. Expenditures shall be made so that these divisions continue to provide service to protect the public health, safety, and welfare and environment.

Sec. 237. Not later than September 30, 2011, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas.

The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

EXECUTIVE

Sec. 302. (1) Pursuant to the appropriations in part 1, the department may receive and expend revenue and use that revenue to cover necessary expenses related to publications, audit and licensing functions, livestock sales, certification of nursery stock, and laboratory analyses as specified in the following:

- (a) Management services publications.
- (b) Management services audit and licensing functions.
- (c) Pesticide and plant pest management propagation and certification of virus-free foundation stock.
- (d) Pesticide and plant pest management grading services.
- (e) Laboratory support testing for testing horses in draft horse pulling contests at county fairs when local jurisdictions request state assistance.
- (f) Laboratory support analyses to determine foreign substances in horses engaged in racing or pulling contests at tracks.
- (g) Laboratory support analyses of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.
- (h) Laboratory support test samples for other agencies and organizations.
- (i) Fruit and vegetable inspection at shipping and termination points and processing plants.

(2) The department shall notify the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies 30 days prior to proposing changes in fees authorized under this section or under section 5 of 1915 PA 91, MCL 285.35.

(3) Annually, before February 1, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies detailing all the fees charged by the department under the authorization provided in this section, including, but not limited to, rates, number of individuals paying each fee, and the revenue generated by each fee in the previous fiscal year.

Sec. 306. From the funds appropriated in section 102, private funds for agricultural statistics shall be used to match state funds at not less than 50% of study costs.

FOOD AND DAIRY

Sec. 401. The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of minimum program requirements.

Sec. 402. Not later than April 1, 2011, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing significant food-borne outbreaks and emergencies, including any enforcement actions taken related to food safety during the 2009-2010 fiscal year.

Sec. 404. From the funds appropriated in section 104 for food safety and quality assurance, not less than \$150,000.00 from the consumer and industry food safety education fund shall be expended for purposes required under section 4117 of the food law of 2000, 2000 PA 92, MCL 289.4117, including the statewide training and education to consumers on food safety and the training and education on food safety to food service establishment employees and department employees and agents who enforce section 4117 of the food law of 2000, 2000 PA 92, MCL 289.4117.

Sec. 406. Notwithstanding the provisions of section 205, the department is authorized to fill open positions in the food and dairy inspection program.

ANIMAL INDUSTRY

Sec. 450. From the funds appropriated in section 105 for the bovine tuberculosis program, the department shall reimburse the department of natural resources and environment for those costs associated with monitoring and testing wildlife for bovine tuberculosis that are necessary to support the department goals and are jointly agreed to by the department and the department of natural resources and environment to be in excess of efforts necessary to effectively plan and execute the eradication of bovine tuberculosis from Michigan's wild free-ranging deer herd.

Sec. 451. From the funds appropriated in section 105 for bovine tuberculosis, the department shall pay for all whole herd testing costs and individual animal testing costs in the modified accredited zone to maintain split-state status requirements. These costs include indemnity and compensation for injury causing death or downer to animals.

Sec. 452. The department shall apply for all federal and private funds for which it is eligible that can be used to support the bovine tuberculosis program.

Sec. 454. The department shall use its resources to collaborate with the United States department of agriculture to obtain TB-free status for the area of the Lower Peninsula that is zoned as modified accredited advanced. The department shall also aggressively work toward eradicating bovine TB in the modified accredited zone.

Sec. 456. Of the funds appropriated in part 1, no funds shall be used to enforce the mandatory electronic animal identification program for any domestic animals other than cattle until specific procedures and guidelines for electronic animal identification are outlined in statute.

Sec. 457. On or before October 15, 2010, and on a quarterly basis thereafter, the department shall report to the senate and house agriculture committees, the senate and house appropriations subcommittees on agriculture, and the senate and

house fiscal agencies on the department's progress toward meeting the USDA requirements as outlined in the March 2007 bovine TB program review. The report shall include, but is not limited to, information and data on: wildlife risk mitigation plan implementation in the modified accredited zone; implementation of a movement certificate process; progress toward annual surveillance test requirements set out in the June 2007 MOU; compliance efforts and rates for animals crossing the Mackinac Bridge; efforts to work with slaughter facilities in Michigan, as well as those that slaughter a significant number of animals from Michigan; educational programs and information for Michigan's livestock community; any other item the legislature should be aware of that will promote or hinder efforts to achieve bovine TB-free status for Michigan.

Sec. 458. From the funds appropriated in section 105 for animal industry, the department shall provide inspection and testing of aquaculture facilities and aquaculture researchers as provided under the Michigan aquaculture development act, 1996 PA 199, MCL 286.877. It is the intent of the legislature that the department shall work with aquaculture facilities and aquaculture researchers to identify, contain, and eradicate viral hemorrhagic septicemia in this state.

Sec. 459. Notwithstanding the provisions of section 205, the department is authorized to fill open positions in the bovine tuberculosis program.

Sec. 460. Of the appropriation in section 105 for animal health and welfare, budgetary reductions for the fiscal year ending September 30, 2011 shall not be taken from the aquaculture program, but shall be taken from other programs funded in the animal health and welfare appropriation line item.

PESTICIDE AND PLANT PEST MANAGEMENT

Sec. 551. It is the intent of the legislature that the department work with the fruit and vegetable industry to ensure the development of a sustainable system of third-party inspections of fruits and vegetables.

Sec. 552. The department shall evaluate methods for limiting the transport of invasive species in or on pallets. The evaluation shall include an assessment for the costs and benefits of using commercially available treatments for mitigating infestation and preventing reinfestation of pallets. The department shall report to the legislature on the findings of the evaluations and make recommendations for limiting the transport of invasive species in pallets.

Sec. 553. From the funds appropriated in part 1 for pesticide and plant pest management, not less than \$200,000.00 shall be used for the purpose to ensure that Michigan commodities receive departmental inspections required by other governments to ship commodities out of Michigan. The department shall devise a plan to provide these required government inspections in a timely manner.

ENVIRONMENTAL STEWARDSHIP

Sec. 603. The department shall apply for all federal funds for which it is eligible that can be used to support the migrant labor housing program.

Sec. 606. The department shall actively search for all possible funding sources to be used to match federal funds in the USDA environmental quality incentives program.

Sec. 607. It is the intent of the legislature that the department continue its activities in support of intercounty drainage districts as provided in chapter 5 of the drain code of 1956, 1956 PA 40, MCL 280.101 to 280.106.

AGRICULTURE DEVELOPMENT

Sec. 706. Not later than April 1, 2011, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing the department's agriculture development and export market development activities. The report shall identify grants awarded during the prior fiscal year, including a description of federal or private funds made available as a result of department activities.

Sec. 709. (1) Not later than April 1, 2011, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing the activities of the grape and wine industry council established under section 303 of the Michigan liquor control act of 1998, 1998 PA 58, MCL 436.1303.

(2) The report shall include all of the following:

- (a) Council activities and accomplishments for the previous fiscal year.
- (b) Council expenditures for the previous fiscal year by category of administration, industry support, research and education grants, and promotion and consumer education.
- (c) Grants awarded during the prior fiscal year and the results of research grant projects completed during the prior fiscal year.

Sec. 711. In accordance with chapter 8B of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089 to 125.2089d, it is the intent of the legislature that the Michigan strategic fund, its employees, contract employees, and individuals working on its behalf collaborate with the Michigan department of agriculture to promote business development of Michigan agricultural products to achieve outcomes that include, but are not limited to, increases in export sales, increases in the number of retailers carrying Michigan commodities both within and outside of this state, and increased sales of Michigan products at chain grocers.

FAIRS AND EXPOSITIONS

Sec. 801. All appropriations from the agricultural equine industry development fund shall be spent on equine related purposes. No funds from the agriculture equine industry development fund shall be expended for nonequine related purposes without prior approval of the legislature.

Sec. 802. All appropriations from the agriculture equine industry development fund, except for the racing commission and laboratory analysis program appropriations, shall be reduced proportionately if revenues to the agriculture equine industry

development fund decline during the fiscal year ending September 30, 2011 to a level lower than the amounts appropriated in section 108.

Sec. 803. In the event there is no live thoroughbred race meet in 2010 or 2011, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2009-2010 and fiscal year 2010-2011 shall be held in escrow for a period not to exceed 18 months, or until a thoroughbred race meet license is applied for and granted by the Michigan gaming control board. In the event there is no thoroughbred meet in 2010 or 2011, the purse pool distribution order to be issued by the Michigan gaming control board in 2011 that delineates distribution between the thoroughbred meet that has been held at pinnacle race course and the joint thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the same distribution formula as issued in 2010, with the thoroughbred portion being held in escrow.

Sec. 804. The Michigan gaming control board shall use actual expenditure data in determining the actual regulatory costs of conducting racing dates and shall provide that data to the senate and house of representatives appropriations subcommittees on agriculture and general government and the senate and house fiscal agencies. The Michigan gaming control board shall not be reimbursed for more than the actual regulatory cost of conducting race dates. If a certified horsemen's organization funds more than the actual regulatory cost, the balance shall remain in the agriculture equine industry development fund to be used to fund subsequent race dates conducted by race meeting licensees with which the certified horsemen's organization has contracts. If a certified horsemen's organization funds less than the actual regulatory costs of the additional horse racing dates, the Michigan gaming control board shall reduce the number of future race dates conducted by race meeting licensees with which the certified horsemen's organization has contracts. Prior to the reduction in the number of authorized race dates due to budget deficits, the executive director of the Michigan gaming control board shall provide notice to the certified horsemen's organizations with an opportunity to respond with alternatives. In determining actual costs, the Michigan gaming control board shall take into account that each specific breed may require different regulatory mechanisms.

CAPITAL OUTLAY

Sec. 1001. Of the amounts appropriated in part 1 for farmland and open space development acquisition, the funds shall be used for the purchase of development rights and the awarding of grants by the agriculture preservation fund board under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

Sec. 1002. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1003. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

John Espinoza
Gary McDowell
Matt Lori
Conferees for the House

Cameron Brown
Ron Jelinek
Martha G. Scott
Conferees for the Senate

Pending the order that, under joint rule 9, the conference report be laid over one day,

Senator Cropsey moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 415

Yeas—37

Allen
Anderson

Clark-Coleman
Clarke

Jansen
Jelinek

Prusi
Richardville

Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Cropsey
George
Gilbert
Gleason
Hardiman
Hunter
Jacobs

Kahn
Kuipers
McManus
Nofs
Olshove
Pappageorge
Patterson

Sanborn
Scott
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

House Bill No. 5883, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 5883, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the judicial branch for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

JUDICIARY

APPROPRIATION SUMMARY

Full-time equated exempted positions	491.0		
GROSS APPROPRIATION		\$	260,358,800
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			3,573,500
ADJUSTED GROSS APPROPRIATION		\$	256,785,300

	For Fiscal Year Ending Sept. 30, 2011
Federal revenues:	
Total federal revenues.....	\$ 5,539,500
Special revenue funds:	
Total local revenues.....	6,252,200
Total private revenues.....	842,500
Total other state restricted revenues.....	92,078,000
State general fund/general purpose.....	\$ 152,073,100
Sec. 102. SUPREME COURT	
Full-time equated exempted positions..... 243.0	
Supreme court administration—97.0 FTE positions.....	\$ 10,851,500
Judicial institute—13.0 FTE positions.....	2,594,600
State court administrative office—60.0 FTE positions.....	10,350,100
Judicial information systems—22.0 FTE positions.....	3,141,500
Direct trial court automation support—36.0 FTE positions.....	6,252,200
Foster care review board—12.0 FTE positions.....	1,265,400
Community dispute resolution—3.0 FTE positions.....	2,313,200
Other federal grants.....	275,100
Drug treatment courts.....	6,133,000
Community court pilot project.....	20,000
GROSS APPROPRIATION.....	\$ 43,196,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of state police.....	1,800,000
IDG from department of corrections.....	1,050,000
IDG from state police - Michigan justice training fund.....	300,000
Federal revenues:	
DOJ, victims assistance programs.....	50,000
DOJ, drug court training and evaluation.....	300,000
DOT, national highway traffic safety administration.....	1,300,000
HHS, access and visitation grant.....	550,000
HHS, children’s justice grant.....	206,300
HHS, court improvement project.....	1,160,000
HHS, title IV-D child support program.....	907,700
HHS, title IV-E foster care program.....	540,400
Other federal grant revenues.....	275,100
Special revenue funds:	
Local - user fees.....	6,252,200
Private.....	169,000
Private - interest on lawyers trust accounts.....	232,700
Private - state justice institute.....	370,800
Community dispute resolution fund.....	2,313,200
Law exam fees.....	536,200
Drug court fund.....	1,920,500
Miscellaneous revenue.....	227,900
Justice system fund.....	700,000
State court fund.....	339,000
State general fund/general purpose.....	\$ 21,695,600
Sec. 103. COURT OF APPEALS	
Full-time equated exempted positions..... 190.0	
Court of appeals operations—190.0 FTE positions.....	\$ 18,851,600
GROSS APPROPRIATION.....	\$ 18,851,600
Appropriated from:	
Special revenue funds:	
Court filing/motion fees.....	1,458,500
Miscellaneous revenue.....	77,800
State general fund/general purpose.....	\$ 17,315,300

For Fiscal Year
Ending Sept. 30,
2011

Sec. 104. BRANCHWIDE APPROPRIATIONS

Full-time equated exempted positions	4.0	
Branchwide appropriations—4.0 FTE positions.....		\$ 8,136,800
GROSS APPROPRIATION		<u>\$ 8,136,800</u>

Appropriated from:

State general fund/general purpose		\$ 8,136,800
--	--	--------------

Sec. 105. JUSTICES' AND JUDGES' COMPENSATION

Full-time judges positions	615.0	
Supreme court justices' salaries—7.0 justices		\$ 1,152,300
Court of appeals judges' salaries—28.0 judges		4,240,300
District court judges' state base salaries—258.0 judges		23,877,200
District court judicial salary standardization.....		11,796,800
Probate court judges' state base salaries—103.0 judges.....		9,627,900
Probate court judicial salary standardization.....		4,669,700
Circuit court judges' state base salaries—219.0 judges		20,675,900
Circuit court judicial salary standardization.....		10,036,400
Judges' retirement system defined contributions		3,837,600
OASI, social security.....		5,375,900
GROSS APPROPRIATION		<u>\$ 95,290,000</u>

Appropriated from:

Special revenue funds:

Court fee fund		7,090,200
State general fund/general purpose		\$ 88,199,800

Sec. 106. JUDICIAL AGENCIES

Full-time equated exempted positions	7.0	
Judicial tenure commission—7.0 FTE positions.....		\$ 992,000
GROSS APPROPRIATION		<u>\$ 992,000</u>

Appropriated from:

State general fund/general purpose		\$ 992,000
--	--	------------

Sec. 107. INDIGENT DEFENSE - CRIMINAL

Full-time equated exempted positions	47.0	
Appellate public defender program—39.0 FTE positions.....		\$ 5,263,500
Appellate assigned counsel administration—8.0 FTE positions		931,600
GROSS APPROPRIATION		<u>\$ 6,195,100</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from state police - Michigan justice training fund.....		423,500
---	--	---------

Federal revenues:

Other federal grant revenue.....		250,000
----------------------------------	--	---------

Special revenue funds:

Private - interest on lawyers trust accounts.....		70,000
Miscellaneous revenue.....		113,100
State general fund/general purpose		\$ 5,338,500

Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE

Indigent civil legal assistance.....		\$ 7,937,000
GROSS APPROPRIATION		<u>\$ 7,937,000</u>

Appropriated from:

Special revenue funds:

State court fund		7,937,000
State general fund/general purpose		\$ 0

Sec. 109. TRIAL COURT OPERATIONS

Court equity fund reimbursements		\$ 64,794,700
Judicial technology improvement.....		4,815,000
GROSS APPROPRIATION		<u>\$ 69,609,700</u>

For Fiscal Year
Ending Sept. 30,
2011

Appropriated from:	
Special revenue funds:	
Court equity fund	\$ 54,399,600
Judicial technology improvement fund	4,815,000
State general fund/general purpose	\$ 10,395,100
Sec. 110. GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT	
Drug case-flow program	\$ 250,000
Drunk driving case-flow program	3,300,000
Juror compensation reimbursement	6,600,000
GROSS APPROPRIATION	\$ 10,150,000
Appropriated from:	
Special revenue funds:	
Drug fund	250,000
Drunk driving fund	3,300,000
Juror compensation fund	6,600,000
State general fund/general purpose	\$ 0

PART 2
PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is \$244,151,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$120,832,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

JUDICIARY

SUPREME COURT

State court administrative office	\$ 511,900
Drug treatment courts	3,533,000

TRIAL COURT OPERATIONS

Court equity fund reimbursements	\$ 64,794,700
Judicial technology improvement fund	4,815,000

JUSTICES' AND JUDGES' COMPENSATION

District court judicial salary standardization	\$ 11,796,800
Probate court judges' state base salaries	9,627,900
Probate court judicial salary standardization	4,669,700
Circuit court judicial salary standardization	10,036,400
Grant to OASI contribution fund, employers share, social security	896,900

GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

Drunk driving case-flow program	\$ 3,300,000
Drug case-flow program	250,000
Juror compensation reimbursement	6,600,000
TOTAL	\$ 120,832,300

Sec. 202. (1) The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) Funds appropriated in part 1 to an entity within the judicial branch shall not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.

Sec. 203. As used in this act:

- (a) "DOJ" means the United States department of justice.
- (b) "DOT" means the United States department of transportation.
- (c) "FTE" means full-time equated.
- (d) "HHS" means the United States department of health and human services.
- (e) "IDG" means interdepartmental grant.
- (f) "OASI" means old age survivor's insurance.

Sec. 204. The judicial branch shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 208. The reporting requirements of this act shall be completed with the approval of, and at the direction of, the supreme court. The judicial branch shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 212. As a condition of expending appropriations made under part 1, the judicial branch shall receive and retain copies of all reports funded from appropriations in part 1 and shall follow federal and state guidelines for short-term and long-term retention of such reports and records.

Sec. 214. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 215. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2011 shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the chief justice or his or her designee may grant an exception to allow the travel. Any exceptions granted by the chief justice or his or her designee shall be reported on a monthly basis to the senate and house of representatives standing committees on appropriations.

(3) Not later than January 1 of each year, the state court administrative office shall prepare a travel report listing all travel by judicial branch employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the budget for the judicial branch. The report shall be submitted to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.
- (b) The destination of each travel occurrence.
- (c) The dates of each travel occurrence.
- (d) A brief statement of the reason for each travel occurrence.
- (e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.
- (f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 219. Not later than September 30, 2011, the judiciary shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 221. From the funds appropriated in part 1, the judicial branch shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the judicial branch within a fiscal year. The posting must include the purpose for which each expenditure is made. The judicial branch shall not be required to hire additional employees to comply with this section.

Sec. 223. From the balance in the juror compensation reimbursement fund as of the close of fiscal year 2009-2010, \$2,607,500.00 is appropriated and shall be transferred to the court equity fund.

JUDICIAL BRANCH

Sec. 301. (1) Pursuant to the appropriations in part 1, the direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service, including development of future versions of case management systems. A report of amounts collected in excess of funds

identified as user service charges in part 1 shall be submitted to the state budget director and to the house and senate appropriations subcommittees on judiciary 30 days before expenditure by the direct trial court automation support program.

(2) From funds appropriated in part 1, the direct trial court automation support program of the state court administrative office shall provide to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies before January 1 of each year a detailed list of user service charges collected during the immediately preceding state fiscal year.

Sec. 302. Funds appropriated within the judicial branch shall not be expended by any component within the judicial branch without the approval of the supreme court.

Sec. 303. Of the amount appropriated in part 1 for the judicial branch, \$325,000.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and \$186,900.00 is allocated for court of claims reimbursement under section 6413 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6413.

Sec. 306. The supreme court and the state court administrative office shall continue to maintain, as a priority, the assisting of local trial courts in improving the collection of judgments.

Sec. 308. If sufficient funds are not available from the court fee fund to pay judges' compensation, the difference between the appropriated amount from that fund for judges' compensation and the actual amount available after the amount appropriated for trial court reimbursement is made shall be appropriated from the state general fund for judges' compensation.

Sec. 309. By April 1, 2011, the state court administrative office shall provide an update on the status of the pilot mental health courts to the state budget director, the senate and house appropriations subcommittees on the judiciary, and the senate and house fiscal agencies.

Sec. 310. From the funds appropriated in part 1 for drug treatment court programs, with the approval of and at the discretion of the supreme court, the state court administrative office shall evaluate and collect data on the performance of drug treatment court programs. The state court administrative office shall provide an annual review of the performance of drug courts as prescribed in section 1078(6) of the revised judicature act of 1961, 1961 PA 236, MCL 600.1078. All of the following apply to that annual review:

(a) It shall include measures of the impact of drug court programs in changing offender criminal involvement (recidivism) and substance abuse and in reducing prison admissions.

(b) It shall be completed no later than April 1 of each year and shall also be provided to the senate and house appropriations subcommittees on the judiciary, the senate and house fiscal agencies, and the state budget director.

(c) The evaluation of a program funded with federal Byrne funds shall be consistent with the requirements contained in the federal Byrne grant for that program.

Sec. 311. (1) The funds appropriated in part 1 for drug treatment courts shall be administered by the state court administrative office to operate drug treatment court programs. A drug treatment court shall be responsible for handling cases involving substance abusing nonviolent offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives. A drug treatment court shall use all available county and state personnel involved in the disposition of cases including, but not limited to, parole and probation agents, prosecuting attorneys, defense attorneys, and community corrections providers. The funds may be used in connection with other federal, state, and local funding sources.

(2) From the funds appropriated in part 1, the chief justice shall allocate sufficient funds for the judicial institute to provide in-state training for those identified in subsection (1), including training for new drug treatment court judges.

(3) For drug treatment court grants, consideration for priority may be given to those courts where higher instances of substance abuse cases are filed.

(4) The judiciary shall receive \$1,800,000.00 in Byrne formula grant funding as an interdepartmental grant from the Michigan state police to be used for expansion of drug treatment courts, to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the department of corrections.

Sec. 312. From the funds appropriated in part 1, the state court administrator shall produce a statistical report regarding the implementation of the parental rights restoration act, 1990 PA 211, MCL 722.901 to 722.908, as it pertains to minors seeking a court-issued waiver of parental consent. The state court administrative office shall report the total number of petitions filed and the total number of petitions granted in accordance with section 208.

Sec. 317. Funds appropriated in part 1 shall not be used for the permanent assignment of state-owned vehicles to justices or judges or any other judicial branch employee. This section does not preclude the use of state-owned motor pool vehicles for state business in accordance with approved guidelines.

Sec. 318. The funds appropriated in part 1 for the community court pilot project shall be used for the purposes of administering a pilot program of neighborhood-focused community courts. The state court administrative office shall work collaboratively with the designated courts when establishing the community courts.

Sec. 320. From the funds appropriated in part 1, \$1,000,000.00 in funding from the department of corrections shall be allocated to drug treatment courts to support mental health services.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Rashida Tlaib
 Terry Brown
 Tonya Schuitmaker
 Conferees for the House

Alan L. Cropsey
 Roger Kahn
 Liz Brater
 Conferees for the Senate

Pending the order that, under joint rule 9, the conference report be laid over one day,
 Senator Cropsey moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 416

Yeas—37

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	George	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Nofs	Switalski
Brater	Hardiman	Olshove	Thomas
Brown	Hunter	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Whitmer
Cherry			

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Allen as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 478, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 7b.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1267, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21550 (MCL 324.21550), as amended by 2004 PA 390.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1450, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104b (MCL 324.30104b), as added by 2006 PA 592.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1451, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30306b (MCL 324.30306b), as amended by 2009 PA 120; and to repeal acts and parts of acts.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1035, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2007 PA 76.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 1267

Senate Bill No. 1450

Senate Bill No. 1451

Senate Bill No. 1035

The motion prevailed, a majority of the members serving voting therefor.

Senator Cropsey moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 1267

Senate Bill No. 1450

Senate Bill No. 1451

Senate Bill No. 1035

Senate Bill No. 1196

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1267, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21550 (MCL 324.21550), as amended by 2004 PA 390.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 417

Yeas—37

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	George	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Nofs	Switalski
Brater	Hardiman	Olshove	Thomas
Brown	Hunter	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Whitmer
Cherry			

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1450, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104b (MCL 324.30104b), as added by 2006 PA 592.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 418

Yeas—37

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	George	Kuipers	Scott

Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Nofs	Switalski
Brater	Hardiman	Olshove	Thomas
Brown	Hunter	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Whitmer
Cherry			

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1451, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30306b (MCL 324.30306b), as amended by 2009 PA 120; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 419

Yeas—37

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	George	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Nofs	Switalski
Brater	Hardiman	Olshove	Thomas
Brown	Hunter	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Whitmer
Cherry			

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1035, entitled

A bill to amend 1935 PA 120, entitled “An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police,” by amending section 3 (MCL 28.273), as amended by 2007 PA 76.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 420**Yeas—36**

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Scott
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer

Nays—1

Nofs

Excused—1

Garcia

Not Voting—0

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1196, entitled

A bill to amend 1967 PA 291, entitled “An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected,” by amending section 2a (MCL 390.892a), as amended by 1998 PA 441.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 421**Yeas—37**

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville
Barcia	Cropsey	Kahn	Sanborn
Basham	George	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Nofs	Switalski
Brater	Hardiman	Olshove	Thomas
Brown	Hunter	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Whitmer
Cherry			

Nays—0**Excused—1**

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Allen, Pappageorge, Olshove and Basham introduced

Senate Bill No. 1499, entitled

A bill to amend 1885 PA 152, entitled “An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules,” by amending section 11 (MCL 36.11), as amended by 1982 PA 391.

The bill was read a first and second time by title.

Senator Cropsey moved that rule 3.203 be suspended and that the bill be referred to the Committee on Committee of the Whole and placed on the order of General Orders.

The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4098, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732a (MCL 257.732a), as amended by 2010 PA 155.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 4101, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 732a (MCL 257.732a), as amended by 2010 PA 155.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 4604, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2010 PA 155.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 5603, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2010 PA 155.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

House Bill No. 6156, entitled

A bill to amend 2006 PA 88, entitled "Inmate reimbursement to municipalities act," by amending section 2 (MCL 801.312).

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Judiciary.

By unanimous consent the Senate returned to the order of

Motions and Communications

Pursuant to rule 3.106(b), Senator Cropsy moved to object to the validity and accuracy of the committee report to the following bill because it was not properly voted out of the Committee on Local, Urban and State Affairs and that it be removed from the calendar:

Senate Bill No. 1464

The motion prevailed.

Statements

Senators Scott and Birkholz asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

That great American Ben Franklin said, "Well done is better than well said." Ultimately, we are all remembered not for what we say here in the Senate Chamber, but for what we do. We are remembered for our actions. We are presently in danger of being remembered for our inability to act on auto insurance reform. We are in danger of being remembered for our inability to create fair and affordable auto insurance.

We will be remembered for what we did during our time here. It would be good to be remembered for doing away with a system that allows a company to charge a price based on your credit score. It would be good to be remembered for doing away with a system that allows a company to charge a price based on your address. It would be good to be remembered for doing away with a system that allows a company to charge a price based on just about anything, whether or not it is related to your actual driving record.

Too many people in our state are being penalized and forced to pay higher premiums. Meanwhile other people, and sometimes even their neighbors who only live across the street or around the block, pay far less for the same insurance. This is not fair, and we need to do something about it. We require people to buy auto insurance, so it is up to us to make sure that it is fair and affordable.

There is still time to act if we start working on reform today. Please join me and give all of our constituents the relief they have been asking for.

Senator Birkholz's statement is as follows:

In 14 days, it will be October 1 and the Michigan State Parks Passport system begins. You each have received a Passport card on your desk today to tell you a little bit about the program. I want to remind you that if you check "yes" on your license plate renewal form for \$10, a 60 percent cut in the cost of what you would pay today, you can visit any one of our 98 state parks and recreation areas. The money you give also helps preserve our 133 state forest campgrounds; almost 1,000 miles of hiking, riding, and skiing trails; 1,000-plus boat launching access sites; and a lot of historical and cultural tourism sites.

Many of you are probably starting to receive questions in your office. First, let me tell you this because this is the major question we are getting: Why can't I get my State Parks Passport now when I renew my license plate before October? Because the Secretary of State was unable to implement this system in September. We tried with no avail. It cannot start until October 1, so anyone who has an October license expiring has to wait until October 1 to buy the new State Parks Passport with their license plate tab.

In two weeks, on September 30, the day before it starts, the DNRE will be here at the Capitol with a promotional recreational vehicle promoting our new State Parks Passport system. There will be opportunities for photographs if you voted for the bill—just kidding. There will be opportunities for photographs with the recreational vehicle, as well as with some of the promotional materials. There will be promotional materials there for you to take with you.

I would just offer the website, which is: www.michigan.gov/recreationpassport. There is a list of most frequently asked questions and answers for your staff to get if they are getting questions in your office now. I hope you will support all of us who worked so hard on the State Parks Passport program, the State Parks Advisory Board who came up with the idea and worked so hard to put it into language to see it pass, and I want you to experience Michigan's most beautiful state parks and recreational facilities.

Committee Reports

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 1327, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Olshove and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 1331, entitled

A bill to amend 2008 PA 33, entitled "Michigan planning enabling act," by amending sections 3 and 31 (MCL 125.3803 and 125.3831).

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Olshove and Basham

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 1332, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 102 and 203 (MCL 125.3102 and 125.3203), section 102 as amended by 2008 PA 12.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Olshove and Basham

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Senior Citizens and Veterans Affairs reported

House Bill No. 5850, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206 and 3209 (MCL 700.3206 and 700.3209), section 3206 as amended by 2008 PA 41 and section 3209 as added by 2006 PA 299.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Pappageorge, Olshove and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, September 15, 2010, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Pappageorge, Olshove and Basham

Excused: Senator Garcia

The Committee on Transportation reported

Senate Bill No. 1108, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending sections 6 and 8 of chapter IV (MCL 224.6 and 224.8), section 6 as amended by 2006 PA 598 and section 8 as amended by 1994 PA 320.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1109, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 3 (MCL 46.403).

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1110, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 252, 254, 267, and 269 (MCL 168.252, 168.254, 168.267, and 168.269), section 254 as amended by 1999 PA 218 and section 269 as amended by 1990 PA 7.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1307, entitled

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 7 (MCL 257.1907), as amended by 2000 PA 487; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1476, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 254 (MCL 168.254), as amended by 1999 PA 218.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1477, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 267 (MCL 168.267).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1478, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 269 (MCL 168.269), as amended by 1990 PA 7.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 4556, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675d (MCL 257.675d), as amended by 2008 PA 171.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, September 14, 2010, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Van Woerkom, Basham and Gleason

Excused: Senator Kahn

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1267, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21550 (MCL 324.21550), as amended by 2004 PA 390.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1450, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104b (MCL 324.30104b), as added by 2006 PA 592.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1451, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30306b (MCL 324.30306b), as amended by 2009 PA 120; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1488, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32607 (MCL 324.32607), as amended by 2004 PA 546.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Gleason

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Wednesday, September 15, 2010, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Van Woerkom, Patterson, Basham and Gleason

The Committee on Appropriations reported

Senate Bill No. 1035, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2007 PA 76.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 5666, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from

the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2008 PA 396.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 15, 2010, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Excused: Senator Garcia

The Committee on Local, Urban and State Affairs reported

House Bill No. 4503, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," (MCL 565.451a to 565.453) by adding section 1d.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Allen, Gleason and Basham

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Tuesday, September 14, 2010, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Birkholz, Allen, Gleason and Basham

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, September 14, 2010, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Nofs, Stamas and Hunter

Excused: Senator Clarke

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Agriculture (HB 5875) submitted the following:

Meeting held on Wednesday, September 15, 2010, at 8:30 a.m., Room 424, Capitol Building

Present: Senators Brown, Jelinek and Scott

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Judiciary (HB 5883) submitted the following:
Meeting held on Wednesday, September 15, 2010, at 9:00 a.m., Room 428, Capitol Building
Present: Senators Cropsey, Kahn and Brater

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Community Colleges (SB 1151) submitted the following:
Meeting held on Wednesday, September 15, 2010, at 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Hardiman (C), Jelinek and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Economic Development (HB 5884) submitted the following:
Meeting held on Thursday, September 16, 2010, at 10:05 a.m., Room 428, Capitol Building
Present: Senators Jansen, George and Scott

Scheduled Meetings

Administrative Rules - Tuesday, September 21, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-6476)

Appropriations -

Capital Outlay - Wednesday, September 22, and Thursday, September 23 (CANCELED), 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Commerce and Tourism - Tuesday, September 21, 2:30 p.m., Room 100, Farnum Building (373-2413)

Conference Committees -

Corrections (SB 1153) - Tuesday, September 21, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Natural Resources and Environment (SB 1161) - Tuesday, September 21, 11:30 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 12:00 noon.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, September 21, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

